

DECLARATION OF THOMAS THORNTON, ESQ.

I hereby declare under penalty of law that the following is true and accurate to the best of my knowledge, information and belief:

1) I was court appointed defense counsel in the case of USA v. R. Steven Stackpole and represented him during Mr. Stackpole's Rule 5, initial appearance hearing before the Honorable J. Andrew Smyser in Harrisburg, PA on April 18, 2000.

2) During the hearing the issue of bail was addressed by the Court. I recall explaining to Mr. Stackpole that if the Court granted the government's recommendation to release him on his own recognizance, he would be returned to the custody of New Jersey officials where Stackpole was then serving an unrelated state sentence.

3) I recall Mr. Stackpole telling me that he wanted to go back to New Jersey because of ongoing proceedings involving his New Jersey convictions. I also recall Stackpole telling me that he was trying to reconcile with his family and wanted to be closer to them in New Jersey. I am also sure that I advised Mr. Stackpole it was best to return to New Jersey because the last thing he would want do is be held locally at the Dauphin County Prison pending trial.. I also recall Mr. Stackpole telling me he had voluminous files of legal work and research at the New Jersey facility. None of this paperwork came to Harrisburg with Mr. Stackpole and he was worried about protecting it.


THOMAS THORNTON, Esq.

Date: November 12, 2004